

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LUIS CARDENAS-ORNELAS,

Case No.: 2:21-cv-00030-APG-VCF

Plaintiff

**Order (1) Reinstating Motions for
Temporary Restraining Order and
Preliminary Injunction and (2) Directing
Defendants to Respond**

V.

WICKHAM, et al.,

Defendants

8 Plaintiff Luis Cardenas-Ornelas filed motions for a temporary restraining order and
9 preliminary injunction, asserting that he has not received adequate outdoor exercise time while
10 incarcerated at High Desert State Prison (HDSP). ECF Nos. 3, 4. When I dismissed this case, I
11 denied those motions as moot. ECF No. 7. Now that I have vacated my dismissal order, the
12 motions should be reinstated. Additionally, given the nature of Cardenas-Ornelas's allegations
13 regarding outdoor exercise time, and considering that his outdoor exercise claim has survived
14 screening, I will direct the Attorney General's Office to respond to the motion for temporary
15 restraining order.

16 I THEREFORE ORDER the clerk of court to reinstate the motions for temporary
17 restraining order and motion for preliminary injunction (ECF Nos. 3, 4) as pending motions.

I FURTHER ORDER that within 14 days from the date of the entry of this order, the Attorney General's Office shall advise the Court whether it will enter a limited notice of appearance on behalf of the defendants only for purposes of responding to the motion for temporary restraining order. Additionally, based on the nature of the allegations, the defendants shall have 21 days from the date of this order to file their response to Cardenas-Ornelas's motions for temporary restraining order and preliminary injunction.

1 I FURTHER ORDER that if Carnelas-Ornelas chooses to file a reply, he shall do so
2 within seven days after the defendants file a response.

3 I FURTHER ORDER the clerk of the court to electronically serve a copy of this order, a
4 copy of Cardenas-Ornelas's complaint (ECF No. 1-1), and a copy of Cardenas-Ornelas's motion
5 for temporary restraining order (ECF No. 3) on the Office of the Attorney General of the State of
6 Nevada, by adding the Attorney General of the State of Nevada to the docket sheet. This does
7 not indicate acceptance of service for any defendant.

8 DATED this 11th day of May, 2021.



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10 ANDREW P. GORDON
11 UNITED STATES DISTRICT JUDGE
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